

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CHRISTOPHER ANTONIO KELLY,	)	
	)	
Petitioner,	)	
	)	
v.	)	1:24CV687
	)	1:11CR257-1
UNITED STATES OF AMERICA	)	
	)	
Respondent.	)	

**ORDER**

On August 20, 2024, the United States Magistrate Judge's Order and Recommendation was filed and notice was served on the parties in accordance with 28 U.S.C. § 636(b). Objections were filed within the time limits prescribed by section 636. (Doc. 95.)

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objections were made and has made a de novo determination in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is filed and dismissed *sua sponte* for failure to obtain certification for this § 2255 application by filing a Motion for Authorization in the court of appeals as required by 28 U.S.C. §§ 2255 and 2244 and Fourth Circuit Local Rule 22(d). There being neither a substantial issue for appeal concerning the denial of a constitutional right

affecting the conviction nor a debatable procedural ruling, a certificate of appealability shall not issue.

/s/ Thomas D. Schroeder  
United States District Judge

September 13, 2024